

1 - Mr. R.E. Gebhardt
1 - Mr. Wannall

Special Prosecution Force
U. S. Department of Justice
Attention: Mr. Charles Breyer
Director, FBI

May 17, 1974

1 - Mr. W.W. Hamilton
1 - Mr. J.R. Wagoner
BY COURIER SERVICE

FBI CONTACTS WITH [REDACTED]
AND INFORMATION DEVELOPED ABOUT [REDACTED]

Boff

Reference is made to the telephonic request by Mr. Charles Breyer of the Special Prosecution Force for all information in FBI files relative to contacts of [REDACTED] by the FBI, information developed about [REDACTED] and details relative to the dissemination of this information to the Department of Justice. Mr. Breyer's request was limited to information pertaining to [REDACTED] admissions concerning his participation in the burglary of the office of Daniel Ellsberg's psychiatrist and for the period of early May, 1973, to June 19, 1973.

Enclosed are single copies of pertinent communications listed below. These communications will confirm the information orally provided to Mr. Breyer by [REDACTED] of this Bureau on May 16, 1974.

FBI Miami teletype dated May 8, 1973, a copy of which was furnished the Assistant Attorney General, Criminal Division, of the Department on May 9, 1973.

FBI Miami FD-302 dated May 9, 1973, two copies of which were furnished the Assistant Attorney General, Criminal Division, of the Department, Attention: Departmental Attorney John Martin, on May 14, 1973.

FBI Miami teletype dated May 9, 1973, two copies of which were furnished the Assistant Attorney General, Criminal Division, of the Department on May 10, 1973.

FBI Miami teletype dated May 10, 1973, 4:14 p.m., two copies of which were furnished the Assistant Attorney General, Criminal Division, of the Department on May 10, 1973.

FBI Miami teletype dated May 10, 1973, 7:00 p.m., two copies of which were furnished the Assistant Attorney General, Criminal Division, of the Department on May 11, 1973.

URW:tdp (7)

SEE NOTE PAGE TWO

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____

94 JUN 4 MA 1974

TELETYPE UNIT ☐

5-JRM
(87)

Special Prosecution Force
U. S. Department of Justice

FBI Miami teletype dated May 11, 1973, two copies of which were furnished to Mr. Kevin Maroney of the Department on May 11, 1973.

FBI Miami FD-302 dated May 11, 1973, a copy of which was furnished to Departmental Attorney John Martin on May 11, 1973. A copy of de Diego's statement was also furnished to Mr. Martin with this FD-302.
Enclosures - 7

NOTE:

Mr. Charles Breyer telephonically contacted [REDACTED] relative to the above request. He advised the reason for the request was that he was handling the contemplated prosecution of [REDACTED] relative to [REDACTED] participation in the burglary of the office of Ellsberg's psychiatrist. He added that [REDACTED] attorney has submitted a motion to the court requesting charges against him be dismissed since statements made by [REDACTED] to Dade County State Attorney's Office admitting participation in the burglary were made subsequent to his being granted immunity by local authorities. Mr. Breyer advised that it was the opinion of the Special Prosecution Force that sufficient evidence was developed linking [REDACTED] with the burglary prior to the Special Prosecution Office being aware of [REDACTED] statement. He stated, however, in connection with [REDACTED] motion it was necessary to establish whether or not this information had been furnished to the Dept. of Justice prior to 6/19/73. He advised his office had to answer the motion by 5/16/74. Under the circumstances, the information was orally supplied to Breyer by me on the morning of 5/16/74.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 20 1974

TELETYPE

NR012 MM CODE

5:07 PM URGENT MAY 20, 1974 CLS

TO DIRECTOR 65-74060

TAMPA

FROM MIAMI 65-3264 4P

Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
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Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

DANIEL ELLSBERG; BURGLARY OF OFFICE OF DR. LEWIS J. FIELDING.

REBUAIRTEL MAY 15, 1974.

FOR THE INFORMATION OF TAMPA, REFERENCED COMMUNICATION INDICATED THAT THE WATERGATE SPECIAL PROSECUTION FORCE (WSPF) HAD ADVISED THAT IN CONDUCTING THE PROSECUTION OF THE CASE OF THE U.S. VS. JOHN D. EHRLICHMAN, ET AL, WHICH RELATES TO THE BREAK-IN OF THE OFFICE OF DR. LEWIS J. FIELDING, THEY DESIRE VARIOUS ITEMS OF INFORMATION CONCERNING THREE OF THE DEFENDANTS, NAMELY,

[REDACTED]

[REDACTED]

REC-86

65-4712

INCLUDED ON THIS LISTING WAS COPIES OF THE COMPLETE FILES IN THE APPROPRIATE FLORIDA STATE AGENCIES RELATING

END PAGE ONE

MAY 29 1974

[Handwritten signature]

84 JUN 4 1974

PAGE TWO

TO THE REAL ESTATE LICENSES HELD BY [REDACTED]
[REDACTED]

MIAMI WAS DIRECTED TO OBTAIN COPIES OF REAL ESTATE LICENSES AND ANY OTHER INFORMATION IN THE FILES OF THE APPROPRIATE FLORIDA STATE AGENCIES RELATING TO THE REAL ESTATE PROFESSION.

ATTENTION OF THE BUREAU AND TAMPA IS DIRECTED TO TAMPA TEL TO BUREAU JUNE 27, 1972, CAPTIONED, [REDACTED]
[REDACTED] BURGLARY, DEMOCRATIC NATIONAL HEADQUARTERS, WASHINGTON D.C., JUNE 17, 1972, IOC,"

[REDACTED] THIS COMMUNICATION ADVISED THAT THE FILES OF FLORIDA REAL ESTATE COMMISSION, STATE OFFICE BUILDING, WINTER PARK, FLORIDA, ARE AVAILABLE ONLY THROUGH THE PROPER ISSUANCE OF A SUBPOENA DUCES TECUM DIRECTED TO [REDACTED] EXECUTIVE SECRETARY, INASMUCH AS THEY ARE [REDACTED] PROTECTED BY LAW.

IT WAS NOTED, HOWEVER, THAT [REDACTED] REQUESTED HIS IDENTITY BE CONCEALED, AND MADE INFORMATION AVAILABLE ON A CONFIDENTIAL BASIS ON JUNE 26, 1972, CONCERNING THE REAL ESTATE LICENSES AND BACKGROUND INFORMATION REGARDING
END PAGE TWO

2

MM 165-3264

PAGE THREE

[REDACTED] IT
WAS REAL ESTATE INFORMATION THAT COULD NOT BE UTILIZED
IN A COURT OF LAW WITHOUT PROPER ISSUANCE OF A SUBPOENA
DUECES TECUM. INFORMATION WAS FURTHER SET OUT IN A
FD 302 DATED JUNE 26, 1972, AT WINTER PARK, FLORIDA,
INCLUDED IN TAMPA REPORT OF [REDACTED] ON JUNE 28,
1972, IN THE [REDACTED]

IT IS NOT READILY KNOWN AT MIAMI WHETHER THESE RECORDS
HAVE BEEN CHECKED CONCERNING [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

TAMPA, AT WINTER PARK, FLORIDA, WILL MAKE APPROPRIATE
ARRANGEMENTS TO OBTAIN THE COMPLETE FILES AND COPIES OF
REAL ESTATE LICENSES OF THE ABOVE NAMED INDIVIDUALS, INCLUDING
[REDACTED], AS REQUESTED BY WSPF.

REQUEST OF BUREAU.

BUREAU SHOULD CONTACT WSPF AND REQUEST THAT A SUBPOENA
END PAGE THREE

MM 65-3264

PAGE FOUR

DUCES TECUM BE ISSUED DIRECTED TO [REDACTED]

[REDACTED], STATE OFFICE
BUILDING, WINTER PARK, FLORIDA, SO THAT THE APPROPRIATE

RECORDS REGARDING [REDACTED] MAY BE [REDACTED]

OBTAINED THROUGH THE TAMPA OFFICE.

END

PLS HOLD FOR FOUR MORE TKS

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 21 1974

TELETYPE

NR002 TP CODE

1:57PM URGENT MAY 21, 1974 JFD

TO DIRECTOR (65-74060)

MIAMI (65-3264)

FROM TAMPA (65-402) (P)

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
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Ident.	_____
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Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

DANIEL ELLSBERG; BURGLARY OF OFFICE OF DR. LEWIS J. FIELDING.

RE MIAMI TEL MAY 20, 1974.

INVESTIGATION AT FLORIDA REAL ESTATE COMMISSION, WINTER
PARK, FLORIDA, ON MAY 21, 1974, DISCLOSED A FILE IS AVAILABLE

[REDACTED] HAS RETIRED
AND ANY SUBPOENA DUCES TECUM TO BE ISSUED SHOULD BE DIRECTED
TO [REDACTED] EXECUTIVE DIRECTOR, FLORIDA REAL
ESTATE COMMISSION, STATE OFFICE BUILDING, WEST MORSE BLVD.,
WINTER PARK, FLORIDA 32789.

INFORMATION FROM FLORIDA REAL ESTATE COMMISSION DISCLOSES
THAT RECORDS ON THREE NAMED INDIVIDUALS IN RETEL WILL BE
PRODUCED ON ISSUANCE OF A SUBPOENA. REC-06

END

KAC FBIHQ CLR

84 JUN 4 1974

MAY 29 1974

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. J. Decker

FROM P. V. Daly

SUBJECT: UNITED STATES VS JOHN D. EHRLICHMAN,
CHARLES D. COLSON, ET AL
INFORMATION CONCERNING

1 - Mr. W. R. Wannall
1 - Mr. R. E. Gebhardt

DATE: 5/22/74

1 - Mr. J. A. Mintz
1 - Mr. A. J. Decker
1 - Mr. F. S. Putman
1 - Mr. P. V. Daly

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. ☒ _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection ☒ _____
Intell. ☒ _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

The purpose of this memorandum is to advise of developments in captioned trial of interest to the FBI. The defendants in this matter are charged with various crimes arising out of the burglary of Dr. Fielding's office in California at which time an attempt was made to obtain the medical record of Dr. Daniel Ellsberg.

Hearings were held in the U. S. District Court, Washington, D. C., before Judge Gerhard A. Gesell 5/20-21/74 concerning various motions made by the defendants' attorneys. Of particular interest, because of the obvious ramifications they may have on Bureau investigative practices, are two particular motions: 1) A motion for the dismissal of a Title 18, U.S.C., Section 1001 violation involving Presidential aide John D. Ehrlichman; 2) A discovery motion made by the defense aimed at obtaining numerous documents, some of which will be of a very sensitive nature, dealing with the national security which documents, according to Judge Gesell, are in the possession of various Federal agencies apparently including the FBI.

The motion concerning Title 18, U.S.C., Section 1001 and its violation by John D. Ehrlichman centered around the defense allegation that this particular statute did not apply to investigative activities of the FBI. Judge Gesell, in ruling on this motion, did not address himself to this problem but rather expressed concern that the FD-302 containing the results of the Bureau's interview of Ehrlichman concerning this matter was not detailed enough and in particular did not contain details relating to the questions asked of Ehrlichman. Judge Gesell ultimately determined that the issue as to whether Ehrlichman was accurate in his response

PVD: fb
(7)

EX-105.

CONTINUED - OVER

REC-14

15 MAY 31 1974

84 JUN 10 1974

Memorandum P. V. Daly to Mr. A. J. Decker
RE UNITED STATES VS JOHN D. EHRLICHMAN,
CHARLES D. COLSON, ET AL

to FBI questions and the nature of the questions asked of Ehrlichman will have to be determined at the time of trial. He indicated that he would reserve the right to dismiss this particular count against Ehrlichman at the time of trial after the presentation of evidence. Additionally, he implicitly attempted, through his statements, to have the prosecution consider dropping this particular count.

In regard to the motions for discovery of various sensitive documents pertaining to the national security, Gesell expressed concern that the motion was extremely wide in scope and would cause an undue burden on the prosecution and various agencies to come forth with documents which may or may not be within the scope of the motion. He also conducted a lengthy hearing to ascertain the relevance and the materiality of these particular documents to the matter before the court. The Special Prosecutor's Office has argued apparently with some concurrence by Judge Gesell that these documents are not relevant^{and}/material. The Special Prosecutor's Office and Judge Gesell pointed out that there was no allegation that President Richard M. Nixon specifically and explicitly directed the burglary of Dr. Fielding's office and that in the absence of this particular allegation any exploration into the President's powers in the national security area and the documents pertinent to this would appear not to be relevant^{and} material. Judge Gesell did indicate he had some concern that such documents might have some relevance to the conspiracy charge relating to the violation of Title 18, U.S.C., Section 241 which deals with the violation of Dr. Fielding's rights by this burglary.

Additionally, Gesell asked the defense and prosecution to give consideration to the use of subpoena powers rather than a motion for discovery to obtain the aforementioned documents with said subpoenas particularizing the documents being sought and the subpoenas being returnable sometime prior to June 17, 1974, which is the slated trial date. He also indicated he would rule on the

Memorandum P. V. Daly to Mr. A. J. Decker
RE: UNITED STATES VS JOHN D. EHRLICHMAN,
CHARLES D. COLSON, ET AL

motions relating to discovery sometime before the end of the week. These motions could have far-reaching impact on Bureau operations in that if he allows the defense to delve into national security investigations as part of its defense it could result in disclosure of various sensitive Bureau operations not heretofore made public. In this regard it must be borne in mind at least one of the defendants, Ehrlichman, would in all probability be knowledgeable concerning such operations.

We are following this matter and you will be advised of any new significant developments.

ACTION:

For information.

WJD
[Signature]
[Signature]
[Signature]
K

F B I

Date: 5/21/74

Transmit the following in _____
(Type in plaintext or code)

AIRTEL

Via _____
(Priority)

TO: DIRECTOR, FBI (65-74060)
 FROM: SAC, ALEXANDRIA (65-67) -RUC-

UNITED STATES v. EHRLICHMAN, ET AL.,
 CASE NO. 74-116 -- INITIAL INTERVIEWS
 OF DR. LEWIS J. FIELDING BY BUREAU

Re Bureau airtel to Alexandria, 5/15/74.

Enclosed are five copies each of two FD-302's containing results of interviews with former Bureau officials, DONALD E. MOORE at Alexandria, Va., and EUGENE R. HARRELL at Arlington, Va., on 5/20/74.

Mr. EUGENE R. HARRELL suggested that the Bureau check copies of the incoming Los Angeles teletypes reflecting the results of investigation requested by Bureau teletypes to Los Angeles dated 7/9/71 and 7/19/71, for the purpose of determining if dissemination was made by the Bureau to the Assistant Attorney General, Internal Security Division, USDJ. If copies of such communications had been furnished to the Department, as frequently was the case at that time, the Department would have realized the uncooperativeness displayed by Dr. FIELDING and may have felt that the results obtainable from FIELDING's work with ELLSBERG may have justified a step as drastic as a surreptitious entry and rifling of Dr. FIELDING's files. This was not, however, suggested at any time by official correspondence or communication.

② - Bureau (Enc. 10)
 1 - Alexandria
 RMC:sw
 (3)

REC-85

JUN 10 1974

4 MAY 22 1974

PERS. REC. UNIT

57 JUN 12 1974 G K/R
 Approved _____
 Special Agent in Charge

Sent _____

U.S. Government Printing Office: 1972 - 455-574

FEDERAL BUREAU OF INVESTIGATION

May 21, 1974

Date of transcription

1
Mr. DONALD E. MOORE, [REDACTED], advised that he was the Inspector in charge of the Espionage-Research Section of the Domestic Intelligence Division of the Federal Bureau of Investigation (FBI) in July, 1971.

Mr. MOORE reviewed copies of teletypes dated July 9 and July 19, 1971, from FBI Headquarters to the Los Angeles FBI Office concerning the "MC LEK" (ELLSBERG) investigation and specifically the proposed interview of DANIEL ELLSBERG's analyst, Dr. FIELDING.

He stated that he had no specific recollection of the authorization to interview Dr. FIELDING. MOORE recalled that information had been received sometime during the ELLSBERG investigation of the Pentagon papers [REDACTED]

[REDACTED] but he could not recall whether or not that information had been received prior to the interview with Dr. FIELDING. MOORE related that his approval of such interview would have been based upon the desire to know if anyone else was engaged with ELLSBERG in a conspiracy in taking the papers, the disposal of same, whether there was any foreign involvement, and what his reasons would have been for taking of papers. If there had been a foreign involvement, the FBI would be desirous of knowing if the papers would be utilized to the advantage of a foreign government.

With regard to whether or not Mr. MOORE discussed Dr. FIELDING with anyone outside of the FBI or whether anyone outside of the FBI requested or suggested the FIELDING interview, Mr. MOORE answered, "No, I did not; however, I imagine the desirability of such an interview with Dr. FIELDING may have been discussed with representatives of the Internal Security Division of the Department of Justice by someone other than myself."

XE.

JUN 10 1974

Interviewed on 5/20/74 at Alexandria, Virginia File # AX 65-67

by [REDACTED] SW [REDACTED] Date dictated 5/21/74

FEDERAL BUREAU OF INVESTIGATION

1

May 21, 1974

Date of transcription

Mr. EUGENE R. HARRELL, [REDACTED] advised that in July, 1971, he was the Unit Chief in charge of the "MC LEK" investigation, otherwise known as the DANIEL ELLSBERG investigation, at the Federal Bureau of Investigation (FBI) Headquarters in Washington, D. C.

Mr. HARRELL reviewed copies of teletypes dated July 9 and July 19, 1971, from FBI Headquarters to the Los Angeles FBI Office concerning the "MC LEK" investigation and specifically the proposed interview of DANIEL ELLSBERG's analyst, Dr. FIELDING.

He stated that the responsibility for the DANIEL ELLSBERG investigation as it related to the Los Angeles Division was under [REDACTED] who worked within his Unit, and this incorporated the reviewing of all investigative reports to determine if any leads were not yet covered. HARRELL could not recall specifically if [REDACTED] would have made the decision to determine if Dr. FIELDING held a Doctor of Philosophy or a Doctor of Medicine degree, but at any rate it appeared to be a logical and appropriate lead that had not yet been covered [REDACTED]

[REDACTED] It was therefore logical to assume that ELLSBERG may have told his psychiatrist of the information pertaining to the "Pentagon papers."

HARRELL stated that with regard to his recollection as to whether anyone outside of the FBI requested or suggested the interview with Dr. FIELDING, he recalled that the Internal Security Division of the Department of Justice was kept advised of all incoming investigative reports and not only received copies of reports but also received "sanitized" copies of incoming teletypes reflecting investigation being conducted throughout the FBI field offices. He mentioned Mr. JOHN MARTIN from the Internal Security Division, Department of Justice, as one who may have inquired as to whether or not Dr. FIELDING had been considered for interview. He could not recall specifically if MARTIN had made such an inquiry but described him as one of the legal scholars of the Department and one with whom he would have discussed the proposed Dr. FIELDING interview. MARTIN would have had nothing to do with the specific approval to interview, according to Mr. HARRELL.

Interviewed on 5/20/74 at Arlington, Virginia File # AX 65-67
by [REDACTED] SW Date dictated 5/21/74

ENCLOSURE

F B I

Date: 5/20/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (65-74060)

FROM: *B* SAC, SALT LAKE CITY (65-1836)
11x L.O.

UNITED STATES v. EHRLICHMAN, ET AL.,
CASE NO. 74-116 -- INITIAL INTERVIEWS
OF DR. LEWIS J. FIELDING BY BUREAU

ReBuairtel 5/15/74 captioned above.

ReBuairtel included SAC CHARLES D. BRENNAN as one of the individuals who signed teletypes related to interviews of Dr. FIELDING, and requested he be interviewed in connection therewith. It was deemed appropriate to have the Assistant Special Agent in Charge, VICTOR R. SCHAEFER, conduct the interview, and the FD-302 reflecting the results thereof is attached.

ENCLOSURE

2 - Bureau (Enc. 9) (AM)
1 - Salt Lake City
VRS:FR
(3)

2-WSPF
1-T-706940

REC-45

ST-111

17 MAY 22 1974

EIVE

Ward
THREE

2 JUN 14 1974

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

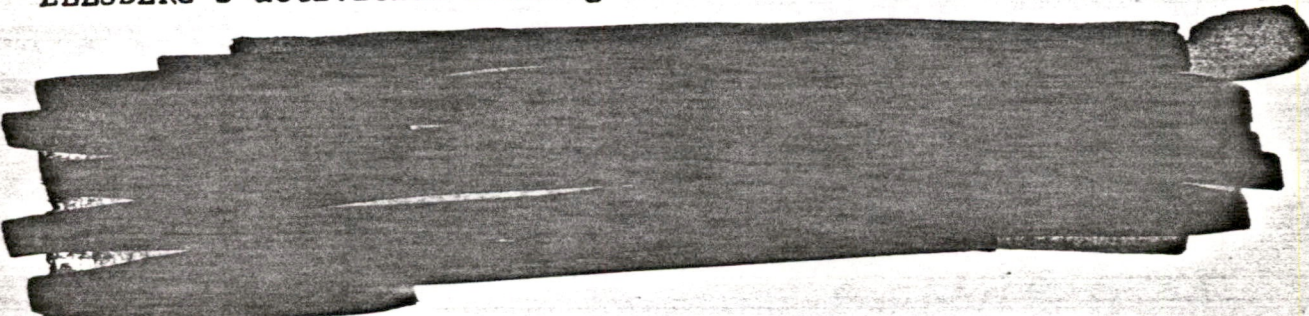
U.S. Government Printing Office: 1972 - 455-574

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/20/741.

Mr. CHARLES D. BRENNAN, Special Agent in Charge, FBI, Salt Lake City, Utah, was interviewed and advised as follows:

The objective of the ELLSBERG investigation was to develop all possible evidence of a violation of the espionage statutes by him. The procedure was to locate and interview anyone FBI investigation revealed may have had knowledge of ELLSBERG's activities bearing on such a violation.



Inasmuch as such a lead was not unusual and, in fact, was consistent with standard investigative procedure, I approved the two teletypes related thereto in my capacity as Assistant Director of the Domestic Intelligence Division. Consistent with existing policy, my approval resulted in their being forwarded to the Assistant to the Director for outgoing approval at a higher level.

I do not recall having engaged in any discussion prior thereto with anyone outside the FBI in regard to Dr. FIELDING and have absolutely no recollection or information concerning any suggestion or request to interview FIELDING coming from anyone outside the FBI.

Interviewed on 5/20/74 at Salt Lake City, Utah File # Salt Lake City 66-1836
by ASAC VICTOR R. SCHAEFER/FR Date dictated 5/20/74
ENCLOSURE

1 - Mr. R. E. Gebhardt
1 - Mr. W. R. Wannall
1 - Mr. W. W. Hamilton

Special Prosecution Force
U. S. Department of Justice

June 5, 1974

BY COURIER SERVICE

Director, FBI

UNITED STATES v. EHRLICHMAN, ET AL.,
CASE NO. 74-116 - INITIAL INTERVIEWS
OF DR. LEWIS J. FIELDING BY BUREAU

Reference is made to your memorandum dated April 19, 1974, captioned as above which, in part, requested interviews of all Bureau personnel involved in the authorization to interview Dr. Lewis J. Fielding.

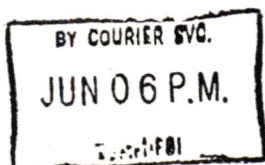
Reference is also made to memorandum of this Bureau dated May 6, 1974, whereby you were furnished Xerox copies of all FBI communications pertaining to the interview of Dr. Fielding.

Enclosed for your information are two copies of each interview of present and former personnel of this Bureau who were involved in the decision and authorization to interview Dr. Fielding.

Referenced memorandum dated May 6, 1974, furnished to your office, a Xerox copy of a teletype from Director, FBI, to Special Agent in Charge (SAC), Los Angeles, dated July 19, 1971, wherein instructions were set forth to interview Dr. Fielding. This communication was approved for transmittal by Mr. William B. Soyars who has retired from this Bureau and whose interview is enclosed herewith. For your information, Mr. Soyars approved this teletype acting in behalf of then Associate Director Clyde A. Tolson, who has also retired. Since Mr. Soyars approved this communication for Mr. Tolson and there is no indication that Mr. Tolson was aware of the decision to interview Dr. Fielding, it is unlikely that Mr. Tolson would have any knowledge of this matter. Consequently, unless advised to the contrary by your office, Mr. Tolson will not be interviewed.

Enclosures - 22

WJH:mjg
(6)



55 JUN 14 1974

TELETYPE UNIT ☐

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

EX-105

REC-47

TSP/ssm

SEE NOTE PAGE TWO

Special Prosecution Force
U. S. Department of Justice

NOTE:

Reference is made to memorandum of F. S. Putman, Jr. to W. R. Wannall dated 5/4/74 which obtained approval for interview of present and former Bureau personnel relative to their knowledge of the interview of Dr. Lewis J. Fielding, psychiatrist to Daniel Ellsberg.

Date of transcription May 17, 1974

1. I was informed by a copy of a memorandum dated May 9, 1974, that the Watergate Special Prosecution Force, by memorandum of April 19, 1974, had submitted certain requests to the FBI among which was the following request:

"A full report on the authorization to interview Fielding, including interviews of SA Soyars, Clyde Tolson, and identification and interviews of all others who suggested, requested, approved or authorized the Fielding interview. We would like to know the reasons each individual identified thought the interview to be necessary or appropriate, whether any of the individuals discussed Dr. Fielding with anyone outside the Bureau, whether anyone outside the Bureau requested or suggested a Fielding interview and so on."

I was further advised by the same memorandum copy that a copy of a July 19, 1971, teletype was attached and that it had been initialed by me. I was requested by the May 9, 1974, memorandum copy to set forth in FD 302 form the following information:

1. My recollection concerning the decision to interview Dr. Fielding.

I have no recollection of having participated in the decision to interview Dr. Fielding. I have examined a copy of the July 19, 1971, teletype which is hereby incorporated by reference and is attached. The initials "JAM" appearing on the lower right of the teletype appear to be my initials. On July 19, 1971, I was Inspector - Number One Man in the Office of Legal Counsel, and in that capacity served as the deputy

Information volunteered _____ of _____ Washington, D. C. _____ File # _____
by _____ John A. Mintz:mfd _____ Date dictated _____ May 17, 1974

2.

to the Bureau's Legal Counsel. My purpose in reviewing mail such as the July 19, 1971, teletype at that time would have been to determine whether, on its face, there appeared to be any legal issue requiring resolution prior to transmission of the teletype. My initials would have indicated that I found no legal issue requiring resolution prior to transmission.

2. Reasons each individual involved in the authorization of the Fielding interview thought this interview would be necessary or appropriate.

My review of the July 19, 1971, teletype would not have been for the purpose of determining whether the interview was necessary or appropriate.

3. Recollections or knowledge as to whether any of the recipients discussed Dr. Fielding with anyone outside the Bureau.

I have no such recollection or knowledge.

4. Whether anyone outside the Bureau requested or suggested the Fielding interview.

I have no such recollection or knowledge.

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 5/13/74

From the initiation of the FBI's investigation of Daniel Ellsberg, I was assigned as the Case Supervisor at a Headquarters level. In this capacity I was basically responsible for the supervision of all investigative aspects of the case conducted by the various field offices involved, as well as making recommendations and the subsequent issuing of instructions after approval of certain Bureau officials for appropriate and logical avenues of investigation which should have been pursued to bring the case to a conclusion.

In connection with these responsibilities, it came to my attention in early July, 1971, [REDACTED]

[REDACTED]

At this stage of the investigation it was not known whether Ellsberg's analyst possessed a Ph.D. degree or a Doctor of Medicine degree. This particular fact was important since it would have a bearing on whether or not the analyst, if interviewed, could refrain from furnishing information concerning Ellsberg on the basis of privileged information.

Under the circumstances, the identification and interview of this analyst not only was a logical avenue of pursuit of investigation but, if he was identified and subsequently cooperative upon interview, could have supplied the FBI with valuable information relative to the activities of Ellsberg during the period prior to the alleged release by Ellsberg of classified information to the New York Times. Accordingly, by teletype dictated by me on July 9, 1971, which teletype was ultimately approved by former FBI employee, W.C. Sullivan, (retired), the Los Angeles Office was instructed to [REDACTED] in an attempt to fully identify Ellsberg's analyst and to conduct sufficient investigation to determine whether or not this analyst possessed a Ph.D. degree

Interviewed on _____ at Washington, D. C. File # _____
by [REDACTED] /tdp [REDACTED] Date dictated 5/10/74

Date of transcription 5/13/74

of was a Doctor of Medicine. The Los Angeles Office was instructed to consider an immediate interview of this analyst for any details pertinent to the Ellsberg investigation provided it was determined that he was not a medical doctor but possessed a Ph.D. degree.

At no time prior to the aforementioned teletype to Los Angeles was an FBI interview of the analyst, later identified as Dr. Lewis J. Fielding, discussed by me with individuals outside the FBI. At no time did any individual outside the FBI request or suggest that Dr. Fielding be interviewed. The initial inquiries which led to the identification of Fielding and his subsequent interview were initiated by myself in view of the fact that it was logical to assume, based on the information we had developed, that Fielding could be in possession of information pertinent to our investigation.

It is my recollection that subsequent to the attempted interview of Dr. Fielding that the matter of Fielding's refusal to cooperate was mentioned at a conference between FBI representatives and representatives of the Department of Justice held in the office of former Assistant Attorney General Robert Mardian. The nature of this discussion was merely that the FBI had attempted to interview Fielding without success. I do not recall at this time who was present at this meeting nor do I recall the date of the meeting.

Interviewed on _____ at Washington, D. C. File # _____
by [REDACTED] p [REDACTED] Date dictated 5/10/74


FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 28, 1974

By memorandum dated April 19, 1974, the Watergate Special Prosecution Force made the following request:

"A full report on the authorization to interview Fielding, including interviews of SA Soyars, Clyde Tolson, and identification and interviews of all others who suggested, requested, approved or authorized the Fielding interview. We would like to know the reason each individual identified thought the interview to be necessary or appropriate, whether any of the individuals discussed Dr. Fielding with anyone outside the Bureau, whether anyone outside the Bureau requested or suggested a Fielding interview and so on."

I have been requested to set forth on an FD-302 form my recollections concerning the decision to interview Dr. Lewis J. Fielding who, during the investigation of Dr. Daniel Ellsberg,



Information Volunteered at Washington, D. C. File # 65-73454
XXXXXXX

by W. Raymond Wannall Date dictated May 28, 1974

[REDACTED]

Following receipt and review of an investigative report containing [REDACTED], a teletype to the Los Angeles Office was prepared over the initials J.R.W. on July 9, 1971, [REDACTED]

[REDACTED] James R. Wagoner was at that time the Supervisor at F.B.I. Headquarters to whom the Ellsberg case was assigned. A copy of the teletype was prepared for me; accordingly, I was aware that the teletype had been prepared and I interposed no objection to its dispatch, although I did not personally initial the file copy as an approving official.

[REDACTED]

On July 19, 1971, a teletype was prepared over the initials E.R.H. ordering an interview of Dr. Fielding. At that time Eugene R. Harrell was the Supervisor in Charge of the Unit in which the Ellsberg case was handled. I personally initialed the file copy of this teletype, approving the Fielding interview. I considered the interview appropriate in view of the [REDACTED]

[REDACTED]

[REDACTED] which was the basis for the Espionage investigation then being conducted by the F.B.I. Further, I considered it necessary to attempt to interview Dr. Fielding since this was a logical investigative step.

Page 3

I have no recollection of discussing the Fielding interview, prior to approving it, with anyone outside the Bureau. There would have been no reason for so discussing it with anyone outside the F.B.I. If I had had any such discussion, I feel that I would recall it at this time. I have no recollection or knowledge that anyone outside the Bureau requested or suggested the Fielding interview. To the best of my recollection and belief, the decision to prepare the teletype ordering the interview was made within the Section where the Ellsberg case was being supervised and of which I was then Section Chief.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/20/74

During the time period encompassing the decision and authorization at FBI Headquarters (FBIHQ) to interview Dr. Lewis J. Fielding, I was assigned at FBIHQ as Number One man to then Section Chief W. Raymond Wannall in the Section which handled the investigation of Daniel Ellsberg.

[REDACTED] Thereafter, I considered it to be a logical and necessary investigative step to identify and, if possible, interview this analyst to determine his knowledge of Ellsberg's activities relative to the reproduction of classified government documents.

I recall that our Los Angeles Office was instructed to identify this analyst and to determine his professional status since a privileged doctor-patient relationship could apply if he was a licensed medical doctor. If such was not the case, Los Angeles was instructed to consider immediate interview. An outgoing teletype dated July 9, 1971, setting forth the above instructions to Los Angeles, was approved by me acting for then Section Chief Wannall. I considered the interview of Ellsberg's analyst to be necessary and appropriate as the ultimate purpose of the investigation was to obtain all available information concerning Ellsberg's actions and motivations relating to the theft and publication of the "Pentagon Papers." I considered it incumbent upon the FBI to probe every source of evidence which had bearing upon the establishment of the guilt or innocence of Ellsberg in judicial proceeding.

I have no knowledge or recollection that any of the individuals involved in the decision and authorization to interview Dr. Fielding discussed this matter with anyone outside of the FBI nor do I have any knowledge or recollection that anyone outside of the FBI requested or suggested the interview of Dr. Fielding.

Interviewed on Information volunteered at Washington, D. C. File #
by Andrew J. Decker/mjg Date dictated 5/20/74

F B I

Date: 5/21/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL _____
(Priority)

TO: DIRECTOR, FBI (65-74060)

FROM: SAC, BOSTON (65-5236)

UNITED STATES v. EHRLICHMAN, ET AL.,
CASE NO. 74-116 -- INITIAL INTERVIEWS
OF DR. LEWIS J. FIELDING BY BUREAU

ReBuAirtel dated 5/15/74.

Enclosed are two copies of FD-302 showing interview of WILLIAM C. SULLIVAN, [REDACTED]

For the Bureau's information, Mr. SULLIVAN experienced a heart attack several weeks ago and was hospitalized until recently. He was interviewed at his residence; however, it was quite obvious that he was in an extremely weakened condition. It was determined prior to the interview that Mr. SULLIVAN often alternates period of bedrest and sitting-up throughout the day.

Relative to request from outside the Bureau to interview Dr. FIELDING, SULLIVAN said that such a request may have come from the military but this is only a possibility and not a probability. If such a request was made, it would have been handled through the Liaison Section of FBIHQ. SULLIVAN said he had no knowledge whatsoever that such a request was made but was merely citing this possibility. Since SULLIVAN had no definite information regarding such a request, his observation has not been included in the FD-302.

REC-47

ST-111

2 - Bureau (Encls.) (RM)

1 - Boston (65-5236)

JON:ds

(3)

ENCLOSURE

Approved: _____

55 JUN 12 1974

Special Agent in Charge

Sent _____

Per _____

U.S. Government Printing Office: 1974-55-574

LEGAL COUNSEL

F B I

Date: 5/28/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO : DIRECTOR, FBI (65-74060)
FROM : SAC, BALTIMORE (65-3896) (RUC)
SUBJECT: UNITED STATES V. EHRLICHMAN,
ET AL,
CASE NO. 74-116-INITIAL INTERVIEWS OF
DR. LEWIS J. FIELDING BY BUREAU

Re Bureau airtel, 5/15/74.

Enclosed herewith for the Bureau are nine (9)
copies each of interviews with DWIGHT J. DALBEY and STERLING
B. DONAHOE.

No further action being taken by Baltimore.

EX-109

3-T-706 SLS
4-WPE

REC-37

ENCLOSURE

65-74060-4725

MAY 29 1974

2-Bureau (RM) (Enc. 18)
1-Baltimore
DLB:drd
(3)

ELVE

57 JUN 28 1974

Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/20/74

1

Mr. DWIGHT J. DALBEY, [REDACTED] retired Assistant Director of the Federal Bureau of Investigation (FBI), furnished the following information subsequent to reading Director, FBI teletype to Special Agent in Charge, Los Angeles, dated July 19, 1971, and captioned, "MC LEX":

His official position in the FBI on July 19, 1971, was Assistant Director, Office of Legal Counsel. Although he does not recall previously seeing and initialing the above described teletype, he assumes those are his initials on the teletype, and, therefore assumes he saw and initialed the teletype prior to its transmission.

He was not at any time involved in the MC LEX investigation in an investigative or supervisory capacity, and the instant teletype was referred to him for his initials only because of the potential legal aspect of the privileged Doctor - Patient relationship.

He approved of the interview of Dr. LEWIS J. FIELDING regarding its legality in that he saw nothing improper in asking Dr. FIELDING if he would be willing to discuss his knowledge of the background and activities of DANIEL ELLSBERG. DALBEY was well aware of the privileged Doctor - Patient relationship, but it was not up to him to assert or claim this privilege for Dr. FIELDING. It was therefore not up to him to disapprove of the interview on this basis, because the law gave Dr. FIELDING the right to claim the privilege or to disclose the information requested by the FBI, if so desired.

Interviewed on 5/20/74 at Bethesda, Maryland File # BA 65-3896

by [REDACTED] /gsf Date dictated 5/20/74

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/21/74

Mr. STERLING B. DONAHOE, a retired Federal Bureau of Investigation (FBI) Agent, [REDACTED] provided the following information after reading teletypes from the Director, FBI, to the Special Agent in Charge, Los Angeles, dated July 9, 1971 and July 19, 1971, captioned "MC LEK".

Mr. DONAHOE advised that in July, 1971, he was assigned to reading all correspondence that came through the office of WILLIAM C. SULLIVAN, Assistant to the Director - Investigations, FBI, Washington, D.C.

Regarding the July 9, 1971 teletype, Mr. DONAHOE advised that he approved the teletype on its face in that DANIEL ELLSBERG was a suspect in an FBI investigation, and the specific identity of his psychiatrist would be a necessary investigative step, especially if this individual had some knowledge regarding the investigation.

Regarding the July 19, 1971 teletype, Mr. DONAHOE advised that he approved the teletype in that on its face a legitimate investigative lead would be the interview of Dr. LOUIS J. FIELDING, M. D. to determine if he was willing to disclose information regarding the background of DANIEL ELLSBERG or specific knowledge regarding any crimes committed by Mr. ELLSBERG.

Mr. DONAHOE advised that he read and approved the July 9, 1971 and July 19, 1971 teletypes without discussing the specifics of the case or the need for these interviews with anyone inside or outside the FBI, to the best of his knowledge. Mr. DONAHOE had no other specific recollection regarding this case and knows of no outside request for the interview of Dr. FIELDING.

5/20/74

Bowie, Maryland

BA 65-3896

5/21/74

65-74060-4725

BA 65-3896

RGW:ccs

Mr. DONAHOE advised that he does remember that during the "MC LEK" investigation, Mr. SULLIVAN and Mr. CHARLES D. BRENNAN, an Assistant Director at FBI Headquarters, Washington, D.C., expressed on various occasions that this was an important investigation for the FBI and they were receiving requests for expeditious investigative handling and identification and prosecution of the individual leaking information to the press from the Department of Justice. At that time, the Assistant Attorney General in Charge of the Internal Security Section was Mr. ROBERT MARDAIN.

Mr. DONAHOE specifically remembers that sometime around mid-July, 1971, Mr. BRENNAN was put in personal charge of the "MC LEK" investigation by Mr. J. EDGAR HOOVER, Director of the FBI at that time, and he remembers that both Mr. SULLIVAN and Mr. BRENNAN expressed displeasure because Mr. HOOVER advised them they could not take Annual Leave until the case was solved.

Mr. DONAHOE has no other specific recollections regarding this matter.

F B I

Date: 5/20/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL REGISTERED MAIL
(Priority)

TO: DIRECTOR, FBI (65-74060)

FROM: SAC, MIAMI (65-3264) (P)

SUBJECT: UNITED STATES v. EHRLICHMAN, ET AL.
CASE NO. 74-116 -- INITIAL INTERVIEWS
OF DR. LEWIS J. FIELDING BY BUREAU

File/SSM
H. J. White

ReBuairtel dated 5/15/74, captioned as above.

Enclosed herewith for the Bureau are five copies of an LHM dated and captioned as above containing the results of an interview of Mr. WILLIAM B. SOYARS as requested by the Watergate Special Prosecutor Force, per reBuairtel.

a

2-488P A

②-Bureau (Enc. 5) (RM)
2-Los Angeles (Enc. 2) (RM) (105-27952)
1-Miami
VJW/al
(5)

REC-71

SE-112

4 MAY 23 1974

Approved: *[Signature]*

Sent _____ M Per _____

50 JUN 11 1974 Special Agent in Charge



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 65-3264

Miami, Florida
May 20, 1974

RE: UNITED STATES v. EHRLICHMAN, ET AL.
CASE NO. 74-116 -- INITIAL INTERVIEWS
OF DR. LEWIS J. FIELDING BY BUREAU

On May 20, 1974, Mr. WILLIAM B. SOYARS, former
FBI Headquarters official, was interviewed concerning
captioned matter and furnished the following information:

This document contains neither recommendations nor
conclusions of the FBI. It is the property of the FBI
and is loaned to your agency; it and its contents are
not to be distributed outside your agency.

65-74116-4726

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription May 20, 1974

WILLIAM B. SOYARS was shown credentials identifying [REDACTED] as a Special Agent of the FBI, on May 20, 1974. He was advised that inquiry was being made of him at the request of the Watergate Special Prosecution Force (WSPF).

SOYARS advised that he is presently the Vice President of Wells Fargo Armed Service Corporation, 1089 N.W. 20th Street, Miami, Florida. His personal mailing address is P. O. Box 01102 Miami, Florida.

At the outset of the interview, Mr. SOYARS was shown copies of two teletypes, both captioned "MC LEK (NATIONALITIES INTELLIGENCE)" dated July 9, 1971 and July 19, 1971 respectively both of which were sent from the Director, FBI, to the Special Agent in Charge, Los Angeles. These were made available to Mr. SOYARS so that he could be fully responsive to the subject of the interview.

Mr. SOYARS was advised that the WSPF wished to know the following:

1. The reason why SOYARS thought it necessary or appropriate to interview Dr. LEWIS J. FIELDING, Dr. ELLSBERG's psychiatrist.

2. Whether the interview of Dr. FIELDING was discussed by him (SOYARS) with anyone outside of the FBI, either before or after the interview of FIELDING.

Mr. SOYARS responded by saying that to begin with, he does not recall initialing the teletype of July 19, 1971, exhibited to him by [REDACTED] due to the large volume of mail which went over Mr. TOLSON's desk when he worked in that office. He acknowledged that he did read this teletype since his initials appear thereon.

Mr. SOYARS stated that during the period in question, July, 1971, he was working as an Inspector in the office of

Interviewed on 5/20/74 at Miami, Florida File # Miami 65-3264

by [REDACTED] al Date dictated 5/20/74

2.

Associate Director of the FBI, CLYDE TOLSON, handling investigative matters. In that capacity, it was his responsibility to review the voluminous pieces of mail coming across his desk, and then initialing each piece of mail read.

In the case of the teletype dated July 19, 1971, wherein the interview of Dr. FIELDING was requested, SOYARS stated he noted that it contained the initials of the responsible officials in the FBI, including the two top legal officers at the FBI Headquarters, who all concurred with the decision to interview FIELDING. Therefore, in the absence of any reason why the interview should not have been conducted, he initialed the item for Mr. TOLSON.

Mr. SOYARS stated that he did not initiate the suggestion to interview Dr. FIELDING, but agreed with the idea that he be interviewed for information he might have been willing to furnish regarding the activities and background of Dr. ELLSBERG as set out in the July 19, 1971, teletype.

Mr. SOYARS stated that at no time did he ever discuss the interview of Dr. FIELDING with anyone outside the FBI.

Airtel

1 - Mr. A. E. Gebhardt
1 - Mr. W. R. Wannall
1 - Mr. W. W. Hamilton

To: SAC, Alexandria (65-67)

6/7/74

From: Director, FBI (65-74060)

DANIEL ELLSBERG; BURGLARY OF THE OFFICE
OF DR. LEWIS J. FIELDING

ReBuairtel dated 5/30/74.

Referenced airtel set forth instructions for your office to interview certain former Bureau personnel in relation to captioned matter. Bureau desires that former Bureau

also be interviewed in this regard. Be guided by instructions set forth in referenced Bureau airtel.

WWH:mjg
(6)

EX-115

REC-40

NOTE:

WSPF requested that we determine whether the Bureau was ever requested to conduct an electronic surveillance of Daniel Ellsberg, members of his family and/or his psychiatrist. Previous lead was set out to Alexandria to interview former Bureau personnel who would have been involved in such a request. Memorandum Putman to Wannall dated 5/29/74 secured approval for these interviews and Mr. Mintz suggested that should also be interviewed in this regard.

JUN 10 1974

MAILED 11

JUN 07 1974

FBI

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

54 JUN 17 1974
MAIL ROOM ☒

TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. J. Decker ^{AJD}

FROM : P. V. Daly

SUBJECT: UNITED STATES VS JOHN D. EHRLICHMAN,
CHARLES D. COLSON, ET AL
INFORMATION CONCERNING
(INTELLIGENCE DIVISION)

1 - Mr. W. R. Wannall
1 - Mr. R. E. Gebhardt

DATE: 5/28/74

1 - Mr. J. A. Mintz
1 - Mr. A. J. Decker
1 - Mr. F. S. Putman
1 - Mr. P. V. Daly

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

The purpose of this memorandum is to advise of additional developments in captioned trial of interest to the FBI. The defendants in this matter are charged with various crimes arising out of the burglary of Dr. Fielding's office in California at which time an attempt was made to obtain the medical record of Dr. Daniel Ellsberg.

You were previously advised by my memorandum of 5/22/74 that the defense had made a motion for discovery of documents relating to the national security some of which were highly sensitive and apparently were FBI documents. Judge Gerhard A. Gesell, who is hearing this particular case, at that time expressed concern that the motion for discovery was too broad and that he was not certain the documents were relevant and material to the issues before the court in this matter.

Judge Gesell on 5/24/74 ruled that the documents sought in the defendants' motion for discovery were not material and relevant to the issues before the court since the President did not have the authority to contravene an individual's Fourth Amendment rights to be free from unreasonable search and seizure. Thus, some of the defendants who had claimed as a defense that the burglary was being conducted under the inherent Constitutional powers of the President in the national security area and had made the motion for discovery consistent with that defense were restricted by the Judge's ruling as to what they could obtain through ~~their~~ discovery motion relative to national security documents.

The effect of this ruling is to make it highly unlikely that sensitive documents originating from the FBI will be made

PVD:fb
(7)

CONTINUED - OVER

FIVE

84 JUN 18 1974

Memorandum P. V. Daly to Mr. A. J. Decker
RE: UNITED STATES VS JOHN D. EHRLICHMAN,
CHARLES D. COLSON, ET AL

available publicly or in camera during this trial. The only documents Judge Gesell is allowing to be made available relative to national security and pursuant to the discovery motion are those documents which might deal directly with meetings of the "plumber's unit" at which time it made "legitimate efforts to tighten security and prevent leaks within the Government establishment."

We will continue to follow this matter and you will be advised of any new significant developments.

ACTION:

For information.

[Handwritten signature]

EM

WRW/GCM

[Handwritten signature]

K

1 - Mr. R. E. Gebhardt

PLAINTEXT

TELETYPE

NITEL

1 - Mr. W. R. Wannall

1 - Mr. W. W. Hamilton

JUNE 7, 1974

TO SACS ALEXANDRIA
BALTIMORE
NEW YORK
SEATTLE
WFO

FROM DIRECTOR FBI

UNITED STATES v. JOHN D. EHRLICHMAN, ET AL., U. S. D. C.,
D. C. , CRIMINAL NO. 74-116.

THE WATERGATE SPECIAL PROSECUTOR HAS REQUESTED AN ELSUR
CHECK ON THE FOLLOWING INDIVIDUALS IN CONNECTION WITH EARLY
COURT ACTION:

1) G. GORDON LIDDY. OFFICE ADDRESS FROM SEPTEMBER, 1971,
TO APPROXIMATELY JUNE 30, 1972, WAS 11 CANNON STREET,
POUGHKEEPSIE, NEW YORK, TELEPHONE 914-471-6050. LIDDY HAS ALSO
RESIDED AT 9310 IVANHOE ROAD, OXON HILL, MARYLAND, TELEPHONE
301-567-3607.

2) HENRY ROTHBLATT, RESIDING 232 WEST END AVENUE, NEW YORK,
NEW YORK, TELEPHONE 212-787-7001. HE HAS ALSO RESIDED AT THE
JEFFERSON BUILDING, APARTMENT 1140, 1021 ARLINGTON BOULEVARD,
ARLINGTON, VIRGINIA, TELEPHONE 703-525-5405. HE HAS AN OFFICE
IN WASHINGTON, D. C., AT 1737 DE SALES STREET, N. W., TELEPHONE

WWH:mjg
(5)

REC-16

SEE NOTE PAGE THREE

12 JUN 10 1974

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 07 1974

TELETYPE

MAIL ROOM ☐

TELETYPE UNIT ☐

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Sys. _____
Ext. Aff. _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

TELETYPE TO ALEXANDRIA, ET AL
RE: U.S. v. JOHN D. EHRLICHMAN, ET AL

202-783-1630.

3) JOHN D. EHRLICHMAN, WHO HAS RESIDED 330 CHESAPEAKE DRIVE, GREAT FALLS, VIRGINIA, TELEPHONE 703-759-3084. HE ALSO RESIDES AT 3830 HUNTS POINT ROAD, BELLEVIEW, WASHINGTON, TELEPHONE 206-454-2744 AND 206-454-7160. HE ALSO HAS A BUSINESS TELEPHONE NUMBER AT 206-622-5454. DURING HIS TENURE AT THE WHITE HOUSE HE HAD A WHITE HOUSE EXTENSION KNOWN AS THE ADMINISTRATIVE BOARD EXTENSION AND THE WHITE HOUSE SIGNAL CORPS EXTENSION.

CONDUCT CHECK IN ORDER TO ANSWER SPECIFIC QUESTIONS CONTAINED IN CRIMINAL DIVISION MEMORANDUM APRIL 16, 1969, FURNISHED FIELD MAY 2, 1969. KEY ANSWERS TO CORRESPOND WITH QUESTIONS A THROUGH F.

IF IT IS DETERMINED CAPTIONED SUBJECTS COVERED BY ELECTRONIC SURVEILLANCE, FURNISH IDENTITY OF MONITORING SOURCES AND FURNISH ONE TRUE COPY OF LOGS COVERING MONITORED CONVERSATIONS. FURNISH ONE COPY OF NECESSARY COMMUNICATIONS WHICH EXPAND OR SUMMARIZE PORTIONS OF THE INDIVIDUALS' CONVERSATIONS CONTAINED IN LOGS. IT WILL SUFFICE TO IDENTIFY FOR BUREAU REPORTS OR COMMUNICATIONS CONTAINING MICROPHONE INFORMATION IN THE DETAILS PERTINENT TO THE INDIVIDUALS COVERED.

TELETYPE TO ALEXANDRIA, ET AL
RE: U. S. v. JOHN D. EHRLICHMAN, ET AL

ADVISE WHETHER SUBJECTS OR PREMISES IN WHICH THEY HAD PROPRIETARY INTEREST HAVE BEEN SUBJECT OF ANY ELECTRONIC SURVEILLANCE WHERE ONE OF THE PARTIES MAY HAVE CONSENTED TO THE SURVEILLANCE, AS WELL AS SUCH SURVEILLANCE CONDUCTED PURSUANT TO THE PROVISIONS OF PUBLIC LAW 90/351.

IF THESE INDIVIDUALS WERE COVERED BY TITLE III, IDENTIFY SUCH COVERAGE AND NAME OF DEPARTMENT'S REPRESENTATIVE IN FIELD WHO WAS FURNISHED THE INFORMATION.

WHEN CONDUCTING SEARCH, INSURE KNOWN ALIASES OF SUBJECTS ARE SEARCHED IN ADDITION TO SUBJECTS' TRUE NAMES.

WFO CHECK ALL NAMES.

SUTEL.

NOTE:

Above is in compliance with WSPF request to Director dated 6/3/74.